



Shasta County

DEPARTMENT OF RESOURCE MANAGEMENT

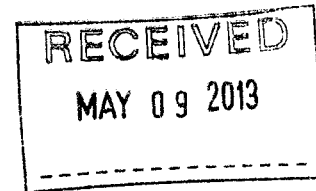
1855 Placer Street, Redding, CA 96001

Richard W. Simon, AICP
Director

May 6, 2013

Mike Rivera
Anderson Landfill
18703 Cambridge Road
Anderson, California 96007

COPY



Dear Mr. Rivera;

Issuance of Title V Operating Permit #91-VP-35g - Anderson Landfill, Inc.

As required by the Shasta County Air Pollution Control District (District) Rule V, Section V.F., "Additional Procedures for Issuing the Permits to Operate for Sources Subject to Title V of the Federal Clean Air Act Amendments of 1990", the District hereby renews the Title V Operating Permit to Anderson Landfill. This permit was submitted to the Environmental Protection Agency Region IX with a letter dated January 15, 2013, for the required 45-day comment period. The comment period expired on February 28, 2013, with one comment which was addressed and implemented within the Title V Operating Permit.

The enclosed Title V Operating Permit No. 91-VP-35g is now enforceable by the District.

If you have any questions regarding this permit, please contact Lindsey Welch, Air Pollution Inspector II at 530-225-5674.

Sincerely,

Ross Bell
Air Quality District Manager

Enclosures

C: M. Tollstrup, Chief, Project Assessment Branch, SSD, CARB, Box 2815, Sacramento, CA
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Gerardo Rios, Chief of Permits Office, U.S. EPA, AIR-3, 75 Hawthorne Street, San Francisco, CA
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EXPIRATION DATE:
March 17, 2018

COPY

PERMIT NO:
91-VP-35g

SHASTA COUNTY
DEPARTMENT OF RESOURCE MANAGEMENT
AIR QUALITY MANAGEMENT DISTRICT

ANDERSON LANDFILL, INC.
(Applicant)

IS HEREBY GRANTED A
TITLE V OPERATING PERMIT
SUBJECT TO CONDITIONS NOTED

SOLID WASTE LANDFILL
(Nature of Activity)

AT: **18703 Cambridge Rd, Anderson, CA 96007**
(Assessor=s Parcel No. 207-170-009-000)

DATE ISSUED: May 6, 2013

APPROVED: Bon E. Bell
Air Pollution Control Officer

ANDERSON LANDFILL, INC.
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May 6, 2013

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EQUIPMENT LIST

One (1) 10.5 - 11.0 MTon Solid Waste Landfill
One (1) Gas Collection Control System with enclosed 45 MMBTU/HR (~1,500) scfm flare
One (1) Diesel Tipper Engine - 105 horsepower with
HUSS Diesel Particulate Filter

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Table 1 Insignificant and Exempted Emission Units	
Insignificant Equipment Description	Insignificant Activity based upon:
Two (2) Above Ground, Diesel Storage Tanks	SCAQMD Rule 5 Attachment 1-B.7.c
Two (2) Above Ground, Gasoline Storage Tanks	SCAQMD Rule 5 Attachment 1-B.7.b
Oil Storage Tanks	SCAQMD Rule 5 Attachment 1-B.8.a
Mobile & Portable Equipment powered by internal combustion engines (ICE) < 50 horsepower.	SCAQMD Rule 5 Attachment 1-B.2.b
Any ICE which emits no more than 2 tons per year NO _x used for providing power during failures. (not voluntary reductions)	SCAQMD Rule 5 Attachment 1-B.2.c
Any ICE which emits no more than 2 tons per year NO _x used for the emergency pumping of water.	SCAQMD Rule 5 Attachment 1-B.2.c
Fugitive emission sources associated with insignificant activities.	SCAQMD Rule 5 Attachment 1-B.

EMISSION LIMITS AND STANDARDS

- A1. No person shall discharge contaminants from any single source into the atmosphere in amounts greater than those designated below (unless governed by EPA New Source Performance Standard). All emissions are to be measured by methods approved for use by the Air Pollution Control Officer (APCO). Any method approved by the U.S. Environmental Protection Agency (EPA) and/or the California Air Resources Board (CARB) is approved for use by the APCO:
- a. **Combustion Particulate Matter^{1,2}** 0.10 gr/dscf
 - b. **Particulate Matter Less Than or Equal to 10 μ in Size^{1,2}** 0.05 gr/dscf
 - c. **All Other Particulate Matter^{1,2}** 0.15 gr/dscf

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d. **Maximum Hourly Particulate Matter (E) as a Function of Process Weight (P_t) in Tons Per Hour**

Where E = lbs/hr

Less Than or Equal to 30 Tons/Hour.....E= 4.1 P_t^{.67}

e. **Oxides of Sulfur (as SO₂)**^{1,2,3}200 ppm

f. **Oxides of Nitrogen (as NO₂)**^{1,2,3}250 ppm

g. **Opacity**⁴
Ringelmann #2 and/or 40% equivalent opacity pursuant to California Health & Safety Code (CHSC) Section 41701

Footnotes:

1 Calculated at standard conditions: 70° F, one atmosphere, dry gas basis.

2 When the emissions are generated by a combustion process, the gas volume shall be corrected to 12% CO₂ at standard temperature and pressure.

3 The APCO may specify an appropriate correction and/or reporting factor depending upon the type of process involved.

4 This requirement does not apply to smoke emissions from burners used to produce energy and fired by forestry and agricultural residues with supplementary fuels when the emission result from startup or shutdown of the combustion process or from the malfunction of emission control equipment. However, this exemption does not apply to emissions which exceed a period or periods of time aggregating more than 30 minutes in any 24-hour period, or which result from the failure to operate and maintain in good working order any emission control equipment.

[SCAQMD Rule 3:2, Specific Air Contaminants, 54 Federal Register (FR) 14650, 4/12/89]

- A2. A person shall not discharge more than forty (40) pounds of photochemically reactive solvents into the atmosphere in any one day from any article, machine, equipment, or other contrivance used for employing, applying, evaporating, or drying any photochemically reactive solvent, as defined in District Rule 1:2, or material containing such solvent, unless all photochemically reactive solvents discharged from such article,

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machine, equipment, or other contrivance have been reduced either by at least 85 percent overall **or** to not more than forty (40) pounds in any one day. The provisions of this condition shall not apply to:

- a. The spraying or other employment of insecticides, pesticides, or herbicides.
- b. The employment, application, evaporation, or drying of saturated halogenated hydrocarbons or perchloroethylene.
- c. The employment or application of polyester resins or acetone used in a fiberglass reinforced plastics operation.

Whenever any organic solvent or any constituent of an organic solvent may be classified from its chemical structure into more than one of the above groups of organic compounds, it shall be considered as a member of the most reactive chemical groups, i.e., the groups having the least allowable percent of the total of solvents.

[SCAQMD Rule 3:4, Industrial Use of Organic Solvents, 49 FR 47491, 10/3/84]

SUBPART CC and SCAQMD RULE 3:29 REFERENCED WWW REQUIREMENTS

The following summary of provisions is based on a tiered requirement schedule found in 40 CFR Part 60.753 through Part 60.759 Subpart WWW and applies to Anderson Landfill based on the applicability of Subpart Cc and SCAQMD Rule 3:29. The sections cited below are summarized and should be referred to for specificity.

**OPERATIONAL STANDARDS AND COMPLIANCE PROVISIONS FOR
COLLECTION AND CONTROL SYSTEMS**

- B1. The collection system shall operate such that gas is collected from each area, cell, or group of cells in the MSW landfill in which solid waste has been in place for:
- (a) 5 years or more if active; or
 - (b) 2 years or more if closed or at final grade;

[40 CFR Part 60.753(a)]

- B2. The combustion device shall operate to reduce NMOC by 98 weight percent or reduce the outlet NMOC concentration to less than 20 parts per million by volume, dry basis as hexane at 3 percent. The reduction efficiency or parts per million by volume shall be

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established by an initial performance test, required under §60.8 using the test methods specified in §60.754(d).

[40 CFR Part 60.752(b)(2)(iii)(B)]

- B3. The control device shall be operated within the parameter ranges established during the initial or most recent performance test. The operating parameters to be monitored are specified in §60.756.

[40 CFR Part 60.752(b)(2)(iii)(B)(2)]

- B4. The collection system shall operate with negative pressure at each well head except under the following conditions:

- (a) A fire or increased well temperature. The owner or operator shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports as provided in §60.757(f)(1);
- (b) Use of a geomembrane or synthetic cover. The owner or operator shall develop acceptable pressure limits in the design plan;
- (c) A decommissioned well. A well may experience a static pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Administrator.

[40 CFR Part 60.753(b)]

- B5. Each interior wellhead in the collection system shall be operated with a landfill gas temperature less than 55°C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The owner or operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

- (a) The nitrogen level shall be determined using Method 3C, unless an alternative test method is established as allowed by §60.752(b)(2)(i) of this subpart.
- (b) Unless an alternative test method is established as allowed by §60.752(b)(2)(i) of this subpart, oxygen shall be determined by an oxygen meter using Method 3A except that:
 - (1) The span shall be set so that the regulatory limit is between 20 and 50 percent of the span;
 - (2) A data recorder is not required;
 - (3) Only two calibration gases are required, a zero and span;
 - (4) A calibration error check is not required;

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- (5) The allowable sample bias, zero drift, and calibration drift are ± 10 percent.

[40 CFR Part 60.753(c)]

- B6. The collection system shall be operated so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the owner or operator shall conduct surface testing around the perimeter of the collection area and along a pattern that traverses the landfill at 30 meter intervals and where visual observations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The owner or operator may establish an alternative traversing pattern that ensures equivalent coverage. Such monitoring shall be conducted on a quarterly basis using an organic vapor analyzer, flame ionization detector, or other portable monitor meeting the specifications provided in this subpart. Monitoring procedures shall be conducted as follows:

- 1.) The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

[40 CFR Part 60.755(c)(2)]

- 2.) Surface emission monitoring shall be performed in accordance with section 4.3.1 of Method 21 of appendix A of this part, except that the probe inlet shall be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

[40 CFR Part 60.755(c)(3)]

- B7. A surface monitoring design plan shall be developed that includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30 meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

[40 CFR Part 60.753(d)]

- B8. The collection system shall operate such that all collected gases are vented to a control system designed and operated in compliance with §60.752(b)(2)(iii).

[40 CFR Part 60.753(e)]

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- B9. In the event that the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of gas to the atmosphere shall be closed within 1 hour.

[40 CFR Part 60.753(e)]

- B10. The control or treatment system shall be operated at all times when the collected gas is routed to the system.

[40 CFR Part 60.753(f)]

- B11. If monitoring demonstrates that conditions B4, B5, or B6 are not in compliance, corrective action shall be taken as specified in §60.755(a)(3) through (5) or §60.755(c). Such determinations shall be recorded as a monitored exceedance. If corrective actions are taken as specified, the monitoring exceedance is not a violation of the operational requirements in this section.

[40 CFR Part 60.753(g)]

- B12. The owner or operator of the facility shall implement a program to monitor for cover integrity and implement cover repairs as necessary on a monthly basis.

[40 CFR Part 60.755(c)(5)]

- B13. The owner or operator of the facility shall comply with the instrumentation specification and procedures for surface emission monitoring devices as specified in §60.755(d)(1) through (4).

[40 CFR Part 60.755(d)]

- B14. The provisions of this subpart apply at all times, except during periods of start-up, shutdown, or malfunction, provided that the duration of start-up, shutdown, or malfunction shall not exceed 5 days for collection systems and shall not exceed 1 hour for treatment or control devices.

[40 CFR Part 60.755(e)]

WWW MONITORING REQUIREMENTS

- B15. Sampling ports and thermometers, or other temperature measuring devices, shall be located at each wellhead. The following monitoring activities shall be conducted on a monthly basis:

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- 1) Measure the gauge pressure in the gas collection header as provided in §60.755(a)(3); and
- 2) Monitor nitrogen or oxygen concentrations in the landfill gas as provided in §60.755(a)(5); and
- 3) Monitor temperature of the landfill gas as provided in §60.755(a)(5)

[40 CFR Part 60.756(a)]

B16. The enclosed combustion device shall have calibrated, maintained, and operating, according to the manufacturer's specifications, the following equipment:

- 1) A temperature monitoring device equipped with a continuous recorder having an accuracy of ± 1 percent of the temperature being measured expressed in degrees Celsius or $\pm 0.5^{\circ}\text{C}$, whichever is greater.
- 2) A gas flow rate measuring device that provides a measurement of gas flow to or bypass of the control device. The owner or operator shall either:
 - i) Install, calibrate, and maintain a gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes; or
 - ii) Secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

[40 CFR Part 60.756(b)]

B17. Each owner or operator shall monitor surface concentrations of methane according to the instrument specifications and procedures provided in §60.755(d). Any closed landfill that has no monitored exceedances of the operation standard in three consecutive quarterly monitoring periods may skip to annual monitoring. Any methane reading of 500 ppm or more above background detected during the annual monitoring returns the frequency for that landfill to quarterly monitoring.

[40 CFR Part 60.756(f)]

WWW REPORTING REQUIREMENTS

B18. If the landfill is permanently closed, a closure notification shall be submitted to the APCO within 30 days of waste disposal cessation. A permanent closure must take place

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in accordance with 40CFR Section 258.60. If a closure report has been submitted, no additional waste may be placed in the landfill without filing a notification of modification to the APCO and the Administrator, pursuant to §60.7 (a)(4).

[40 CFR Part 60.757(d)]

B19. Each owner or operator of the controlled landfill shall submit an equipment removal or closure report to the Administrator 30 days prior to removal or cessation of operation of the control equipment. The equipment removal report shall contain all of the following items:

- 1) A copy of the closure report submitted in accordance with Condition B18 of this Permit.
- 2) A copy of the initial performance test report demonstrating that the 15 year minimum control period has expired; and
- 3) Dated copies of three successive NMOC emissions reports demonstrating that the landfill is not producing 50 megagrams or greater of NMOC per year.

The Administrator may request such additional information as may be necessary to verify that all of the conditions for removal in §60.752(b)(2)(v) have been met.

[40 CFR Part 60.757(e)]

B20. Each owner or operator of a landfill shall submit to the Administrator semi-annual reports, as required in Conditions B33, B36 and B37, of the recorded information in (1) through (6) in this condition. The first reporting period shall be March 1 through September 30 and the report shall include the semi-annual monitoring report, NSPS report, and SSM report. Subsequent reporting periods shall be **April 1 through September 30, and October 1 through March 31**. These reports shall be submitted within forty-five (45) days of the end of each reporting period.

The initial annual report was submitted within 180 days of installation and start-up of the collection and control system, and included the initial performance test report required under §60.8. For enclosed combustion devices and flares, reportable exceedances are defined under §60.758(c).

- 1) Value and length of time for exceedance of applicable parameters monitored under §60.756(a), (b), (c), and (d).
- 2) Description and duration of all periods when the gas stream is diverted from the control device through a bypass line or the indication of bypass flow as specified under §60.756.
- 3) Description and duration of all periods when the control device was not operating for a period exceeding 1 hour and length of time the control device was not operating.

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- 4) All periods when the collection system was not operating in excess of 5 days.
- 5) The location of each exceedance of the 500 parts per million methane concentration as provided in §60.753(d) and the concentration recorded at each location for which an exceedance was recorded in the previous month.
- 6) The date of installation and the location of each well or collection system expansion added pursuant to paragraphs (a)(3), (b), and (c)(4) of §60.755.

[40 CFR Part 60.757(f)]

WWW RECORDKEEPING REQUIREMENTS

- B21. Except as provided in §60.752(b)(2)(i)(B), each owner or operator of the MSW landfill shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable.

[40 CFR Part 60.758(a)]

- B22. Each owner or operator of the controlled landfill shall keep up-to-date, readily accessible records for the life of the control equipment of the data listed in paragraph (b)(1) through (b)(4) of this section as measured during the initial performance test or compliance determination. Records of subsequent tests or monitoring shall be maintained for a minimum of five (5) years. Records of the control device vendor specifications shall be maintained until removal.

[40 CFR Part 60.758(b)]

- B23. The maximum expected gas generation flow rate shall be calculated as stated in §60.755(a)(1). The owners or operator may use another method to determine the maximum gas generation flow rate, if the method has been approved by the Administrator.

[40 CFR Part 60.758(b)(1)(i)]

- B24. The density of wells, horizontal collectors, surface collectors, or other gas extraction devices shall be determined by using the procedures as specified in §60.759(a)(1).

[40 CFR Part 60.758(b)(1)(ii)]

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- B25. The average combustion temperature shall be measured at least every 15 minutes and averaged over the same time period of the performance test.

[40 CFR Part 60.758(b)(2)(i)]

- B26. The percent reduction of NMOC achieved by the control device shall be determined as specified in §60.752(b)(2)(iii)(B).

[40 CFR Part 60.758(b)(2)(ii)]

- B27. Each owner or operator of the controlled landfill shall keep for 5 years up-to-date, readily accessible continuous records of the equipment operating parameters specified to be monitored in §60.756 as well as up-to-date, readily accessible records for periods of operation during which the parameter boundaries established during the most recent performance test are exceeded. Such an exceedance shall constitute all 3-hour periods of operation during which the average combustion temperature was more than 28°C below the average combustion temperature during the most recent performance test at which compliance with §60.752(b)(2)(iii) was determined.

[40 CFR Part 60.758(c)] [40 CFR Part 60.758(c)(1)(i)]

- B28. Each owner or operator shall keep up-to-date, readily accessible records of the indication of flow to the control device or the indication of bypass flow or records of monthly inspections of car-seals or lock-and-key configurations used to seal bypass lines, specified under §60.756.

[40 CFR Part 60.758(c)(2)]

- B29. Each owner or operator shall keep for the life of the collection system an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location label for each collector.

[40 CFR Part 60.758(d)]

- B30. Each owner or operator shall keep up-to-date, readily accessible records of the installation date and location of all newly installed collectors as specified under §60.755(b).

[40 CFR Part 60.758(d)(1)]

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- B31. Each owner or operator shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing or nondegradable waste excluded from collection as provided in §60.759(a)(3)(i) as well as any nonproductive areas excluded from collection as provided in §60.759(a)(3)(ii).

[40 CFR Part 60.758(d)(2)]

- B32. Each owner or operator shall keep for at least 5 years up-to-date, readily accessible records of all collection and control system exceedances of the operational standards in §60.753, the reading in the subsequent month whether or not the second reading is an exceedance, and the location of each exceedance.

[40 CFR Part 60.758(e)]

NESHAP
40 CFR PART 63.1955(c)
STARTUP, SHUTDOWN, AND MALFUNCTION PLAN

- B33. Anderson Landfill, Inc. must comply with the SSM requirements in Subpart A of this part as specified in Table 1 of this subpart and all affected sources must submit compliance reports every 6 months as specified in §63.1980(a) and (b), including information on all deviations that occurred during the 6-month reporting period. Deviations for continuous emission monitors or numerical continuous parameter monitors must be determined using a 3-hour monitoring block average. These semi-annual reports will be included with the semi-annual reports referenced in Condition B20 above.

The reporting periods shall be March 1 through September 30 and shall include the semi-annual monitoring report, NSPS report, and SSM report. The subsequent reports shall be standardized to the new reporting periods.

Anderson Landfill, Inc. has developed a written startup, shutdown, and malfunction plan that describes, in detail, procedures for operating and maintaining the source during periods of startup, shutdown and malfunction; and a program of corrective action for malfunctioning process, air pollution control, and monitoring equipment used to comply with the relevant standard.

[40 CFR Part 63.6(e)(3)]

NESHAP
40 CFR PART 63 SUBPART ZZZZ
STATIONARY RECIPROCATING INTERNAL COMBUSTION ENGINES
Non-Emergency CI Stationary RICE ≤300 HP

B34. Anderson Landfill, Inc. must comply with the following pertaining to the 105 horsepower CAT 3054 Tipper Engine:

- a. Change oil and filter every 1,000 hours of operation or annually, whichever comes first;
- b. Inspect air cleaner every 1,000 hours of operation or annually, whichever comes first, and replace as necessary;
- c. Inspect all hoses and belts every 500 hours of operation or annually, whichever comes first, and replace as necessary.

[40 CFR Part 63.6603 Table 2d]

B35. During periods of startup, Anderson Landfill Inc., must minimize the engine's time spent at idle and minimize the engine's startup time at startup to a period needed for appropriate and safe loading of the engine, not to exceed thirty (30) minutes, after which time the non-startup emission limitations apply.

[40 CFR Part 63.6603 Table 2d]

B36. The facility must operate and maintain the stationary RICE and after-treatment control device (if any) according to the manufacturer's emission-related written instructions or develop your own maintenance plan which must provide to the extent practicable for the maintenance and operation of the engine in a manner consistent with good air pollution control practice for minimizing emissions.

[40 CFR Part 63.6625(e)(4)]

B37. This facility must keep records of the maintenance conducted on the stationary RICE in order to demonstrate that you operated and maintained the stationary RICE and after-treatment control device (if any) according to your own maintenance plan.

[40 CFR Part 63.6655(e)(3)]

NESHAP
40 CFR PART 61.154
STANDARD FOR ACTIVE WASTE DISPOSAL SITES

- B38. (a) Either there must be no visible emissions to the outside air from any active waste disposal site where asbestos-containing waste material has been deposited, or the requirements of paragraph (c) or (d) of this condition must be met.
- (b) Unless a natural barrier adequately deters access by the general public, either warning signs and fencing must be installed and maintained as follows, or the requirement of paragraph (c)(1) of this section must be met.
- (1) Warning signs must be displayed at all entrances and at intervals of 100 m (330 ft) or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material is deposited. The warning signs must:
- (i) Be posted in such a manner and location that a person can easily read the legend;
 - (ii) Conform to the requirements of 51 cm x 36 cm (20 inch x 14 inch) upright format signs specified in 29 CFR 1910.145(d)(4) and this paragraph; and
 - (iii) Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend	Notation
Asbestos Waste Disposal Site.....	12.5 cm (1 inch) Sans, Serif Gothic or Block, Sans.
Do Not Create Dust.....	1.9 cm (3/4 inch) Serif, Gothic or Block.
Breathing Asbestos is Hazardous to Your Health.....	14 Point Gothic

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

- (2) The perimeter of the disposal site must be fenced in a manner adequate to deter access by the general public.
- (3) Upon request and supply of appropriate information, the Administrator will determine whether a fence or a natural barrier adequately deters access by the general public.
- (c) Rather than meet the no visible emission requirement of paragraph (a) of this section, at the end of each operating day, or at least once every 24-hour period while the site is in continuous operation, the asbestos-containing waste material

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that has been deposited at the site during the operating day or previous 24-hour period shall:

(1) Be covered with at least 15 centimeters (6 inches) of compacted non asbestos-containing material, or

(2) Be covered with a resinous or petroleum-based dust suppression agent that effectively binds dust and controls wind erosion. Such an agent shall be used in the manner and frequency recommended for the particular dust by the dust suppression agent manufacturer to achieve and maintain dust control. Other equally effective dust suppression agents may be used upon prior approval by the Administrator. For purposes of this paragraph, any used, spent, or other waste oil is not considered a dust suppression agent.

(d) Rather than meet the no visible emission requirement of paragraph (a) of this section, use an alternative emissions control method that has received prior written approval by the Administrator according to the procedures described in §61.149(c)(2).

(e) For all asbestos-containing waste material received, the owner or operator of the active waste disposal site shall:

(1) Maintain waste shipment records, using a form similar to that shown in Figure 4, and include the following information:

(i) The name, address, and telephone number of the waste generator.

(ii) The name, address, and telephone number of the transporter(s).

(iii) The quantity of the asbestos-containing waste material in cubic meters (cubic yards).

(iv) The presence of improperly enclosed or uncovered waste, or any asbestos-containing waste material not sealed in leak-tight containers. Report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site, by the following working day, the presence of a significant amount of improperly enclosed or uncovered waste. Submit a copy of the waste shipment record along with the report.

(v) The date of the receipt.

(2) As soon as possible and no longer than 30 days after receipt of the waste, send a copy of the signed waste shipment record to the waste generator.

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(3) Upon discovering a discrepancy between the quantity of waste designated on the waste shipment records and the quantity actually received, attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the local, State, or EPA Regional office responsible for administering the asbestos NESHAP program for the disposal site. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.

(4) Retain a copy of all records and reports required by this paragraph for at least 2 years.

(f) Maintain, until closure, records of the location, depth and area, and quantity in cubic meters (cubic yards) of asbestos-containing waste material within the disposal site on a map or diagram of the disposal area.

(g) Upon closure, comply with all the provisions of §61.151.

(h) Submit to the Administrator, upon closure of the facility, a copy of records of asbestos waste disposal locations and quantities.

(i) Furnish upon request, and make available during normal business hours for inspection by the Administrator, all records required under this section.

(j) Notify the Administrator in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Administrator at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. Include the following information in the notice:

(1) Scheduled starting and completion dates.

(2) Reason for disturbing the waste.

(3) Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material. If deemed necessary, the Administrator may require changes in the emission control procedures to be used.

(4) Location of any temporary storage site and the final disposal site. (Secs. 112 and 301(a) of the Clean Air Act as amended (42 U.S.C. 7412, 7601(a))

[49 FR 13661, Apr. 5, 1990. Redesignated and amended at 55 FR 48431, Nov. 20, 1990; 56 FR 1669, Jan. 16, 1991]

SCAQMD RULE V, TITLE V REQUIREMENTS

- B39. Any deviation from permit requirements, including that attributable to upset conditions (as defined in the permit), shall be promptly reported to the Air Pollution Control Officer in accordance with District Rule 3:10. If the deviation is not defined in District Rule 3:10, reporting shall be no longer than 10 days after the deviation.

[District Rule V, VI(B)(7)(a)]

- B40. A monitoring report shall be submitted to the District at least every six (6) months and shall identify any deviation from permit requirements, including that previously reported to the Air Pollution Control Officer and state whether compliance was continuous or intermittent during this period. A copy of the EPA twelve (12) month certification report shall suffice for one of these six month monitoring reports annually. These reports may be combined with the reports required by Conditions B20 and B33.

The last report for was submitted on November 13, 2012. The reporting period shall be March 1, through September 30 and shall include the semi-annual monitoring report, NSPS report, and SSM report. The subsequent reports shall be standardized to the new reporting periods.

The reporting periods shall be **April 1 through September 30 and October 1 through March 31**. These reports shall be submitted within forty-five (45) days of the end of each reporting period. When no deviations have occurred for the reporting period, such information shall be stated in the report. The monitoring report shall include at a minimum:

- a. A report for each deviation from a permit requirement that occurred during the reporting period, including emergency events. All reports of a deviation from permit requirements shall include the probable cause of the deviation and any preventative or corrective action taken. The permittee shall use District approved forms to report each deviation from permit requirements.
- b. Results from any emission testing done during the reporting period if not provided earlier to the District immediately following the test.
- c. A Certification Report form (Forms 5-K1-K2), which includes a written statement from the responsible official that certifies the truth, accuracy, and completeness of the report.

[District Rule V, VI(B)(7)(b)]

- B41. The responsible official of this facility shall submit a compliance certification to the Environmental Protection Agency and the Air Pollution Control Officer every twelve (12) months or at more frequent periods if specified in the applicable requirements or by

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the District. All compliance reports and other documents required to be submitted to the District by the responsible official shall state that “based upon information and belief formed after reasonable inquiry, the statements and information in the documents are true, accurate, and complete”.

The permittee shall submit compliance certification reports to the U.S. EPA and the District every twelve (12) months for the reporting period April 1st through March 31st. The report shall be submitted within forty-five (45) days of the end of the reporting period. The permittee shall use District approved forms for the compliance certification and shall also include a written statement from the responsible official which certifies the truth, accuracy, and completeness of the report.

Compliance certifications shall be sent to EPA at the following address:

Enforcement Division
Air, Waste, and Toxics Branch
US EPA Region IX (ENF-2)
75 Hawthorne Street
San Francisco, CA 94105-3901

[District Rule V, VI(B)(14)(a)]

- B42. All reports of a deviation from permit requirements shall include probable cause of the deviation and any preventative or corrective action taken.

[District Rule V, VI(B)(7)(c)]

- B43. A progress report shall be made on any required compliance schedule at least semi-annually and shall include:
- The date when compliance will be achieved
 - An explanation of why compliance was not, or will not be, achieved by the scheduled date, and
 - A log of any preventative or corrective action taken.

[District Rule V, VI(B)(7)(d)]

- B44. Each monitoring report shall be accompanied by a written statement from the responsible official certifying the truth, accuracy, and completeness of the report.

[District Rule V, VI(B)(7)(e)]

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- B45. This facility shall develop a compliance plan/schedule for any/all emissions units which are not in compliance with current applicable Federal requirements at the time of permit issuance, renewal, and/or modification (if the non-compliance is with units being modified). This compliance plan/schedule shall resemble and be at least as stringent as that contained in any judicial consent decree, administrative order, or schedule approved by the District's hearing board. Any such plan/schedule of compliance shall be supplemental to, and not sanction non-compliance with, the applicable requirement on which it is based. The compliance plan/schedule shall require:
- a. A description of the compliance status of an emissions unit with respect to each applicable Federal requirement;
 - b. A description of how compliance will be achieved if an emissions unit is not in compliance with an applicable Federal requirement at the time of permit issuance; Include a statement assuring that the emissions unit will continue to comply with those permit conditions with which it is in compliance;
 - d. Include a statement assuring that an emissions unit will comply, on a timely basis, with any applicable federal requirement that will become effective during the permit term;
 - e. For each condition with which the emissions unit is not in compliance with an applicable Federal requirement, a schedule of compliance that lists all preventative or corrective activities, and the dates when these activities will be accomplished; and
 - f. For each emissions unit that is not in compliance with an applicable Federal requirement, a schedule of progress on at least a semi-annual basis which includes:
 - 1. The date when compliance will be achieved;
 - 2. An explanation of why compliance was not, or will not be achieved by the scheduled date, and
 - 3. A log of any preventative or corrective actions taken.

[District Rule V, VI(B)(8)(a-d) and District Rule V, VI(B)(9(a-d))]

- B46. This facility is required to allow the Right of Entry of the District, Air Resources Board, or Environmental Protection Agency officials for the purpose of inspection and sampling, including:
- a. Inspection of the stationary source, including equipment, work practices, operations, and emission-related activity;
 - b. Inspection and duplication of records required by the Permit to Operate; and
 - c. Source sampling or other monitoring activities.

[District Rule V, VI(B)(10)]

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B47. This facility shall comply with all permit conditions.

[District Rule V, VI(B)(11)(a)]

B48. This permit does not convey property rights or exclusive privilege of any sort.

[District Rule V, VI(B)(11)(b)]

B49. The non-compliance with any permit condition is grounds for permit termination, revocation and reissuance, modification, enforcement action, or denial of the permit renewal.

[District Rule V, VI(B)(11)(c)]

B50. This facility shall not use the need to halt or reduce a permitted activity in order to maintain compliance as a defense for non-compliance with any permit condition.

[District Rule V, VI(B)(11)(d)]

B51. A pending permit action or notification of anticipated non-compliance does not stay any permit condition.

[District Rule V, VI(B)(11)(e)]

B52. Within a reasonable time period, this facility shall furnish any information requested by the Air Pollution Control Officer (APCO), in writing, for the purpose of determining;

1. Compliance with the permit, or
2. Whether cause exists for a permit or enforcement action.

[District Rule V, VI(B)(11)(f)]

B53. This facility shall comply with the requirements of District Rule 3:10 - Excess Emission, and the emergency provisions contained in all applicable federal requirements.

[District Rule V, VI(B)(12)(a)]

B54. Within two (2) weeks of an emergency event, the responsible official shall submit to the District a properly signed contemporaneous log or other relevant evidence demonstrating:

1. An emergency occurred;
2. Identification of the cause(s) of the emergency;

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3. The facility was being properly operated at the time of the emergency;
4. All steps were taken to minimize the emissions resulting from the emergency;
5. Within two (2) working days of the emergency event, the permittee provided the District with a description of the emergency and any mitigating or corrective actions taken.

[District Rule V, VI(B)(12)(b)]

- B55. In any enforcement proceeding, the permittee has the burden of proof for establishing that an emergency occurred.

[District Rule V, VI(B)(12)(c)]

- B56. The compliance certification shall identify the basis for each permit term or condition (e.g., specify the emissions limitation, standard, or work practice) and a means of monitoring compliance with the term or condition.

[District Rule V, VI(B)(14)(b)]

- B57. The compliance certification shall include the compliance status and method(s) used to determine compliance for the current time period and over the entire reporting period.

[District Rule V, VI(B)(14)(c)]

- B58. The compliance certification shall include any additional inspection, monitoring, or entry requirements that may be promulgated pursuant to Sections 114(a) and 504(b) of the Clean Air Act (CAA).

[District Rule V, VI(B)(14)(d)]

- B59. The provisions of this Title V Operating Permit are severable, and, if any provision of this Permit is held invalid, the remainder of this Permit to Operate shall not be affected thereby.

[District Rule V]

- B60. This Operating Permit shall become invalid five (5) years from the date of issuance. Anderson Landfill shall apply for renewal of this permit no earlier than eighteen (18) and no later than six (6) months before the expiration date of the current Permit to

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Operate. Upon submittal of a timely and complete renewal application, this Operating Permit shall remain in effect until the APCO issues or denies the renewal application.

[SCAQMD Rule V]

- B61. The permittee shall remit the Title V supplemental annual fee to the district on a timely basis. Failure to remit fees on a timely basis is grounds for forfeiture of this Operating Permit and the District Permit To Operate. Operation without a Permit To Operate subjects the source to potential enforcement action by the District and the U.S. EPA pursuant to section 502(a) of the Clean Air Act.

[SCAQMD Rule V]

OPERATING CONDITIONS

- C1. The use of reasonably available control measures shall be implemented to reduce fugitive dust emissions during the installation or removal of well heads. Such measures may include but are not limited to dust suppressants, wind breaks, compaction, and vehicle speed.

[District Permit 06-PO-06, Condition 12]

- C2. The Asbestos Dust Mitigation Plan, as submitted to the District, shall be implemented in response to any activities occurring during operation that disturbs any asbestos containing materials.

[District Permit 06-PO-06, Condition 13]

- C3. The Gas Collection and Control System shall be operated in a manner which maximizes the amount of landfill gas extracted while preventing overdraw from the landfill that can cause fires from excessive oxygen, or damage to the collection system while collecting. The surface emissions standards as specified in 40 CFR 60.754(d), the wellhead standards specified in 40 CFR 60.753(c), and Conditions C12, C13, and C20 will serve to demonstrate compliance with this condition.

[District Permit 06-PO-06, Condition 14]

- C4. The Gas Collection and Control System shall be designed to reduce both subsurface lateral migration and surface emissions of Landfill Gas.

[District Permit 06-PO-06, Condition 15]

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- C5. If any portion of the Gas Collection and Control System is shut down which results in gas collection from less than 80% of the total number of active collection wells for longer than twenty-four (24) hours due to scheduled or unscheduled maintenance activities, equipment breakdown, or any other reason, the owner shall notify the District within twenty-four (24) hours of the detection of such shutdown.

[District Permit 06-PO-06, Condition 16]

- C6. The APCO may immediately require system shutdown and request additional control devices be installed if the system creates a downwind nuisance or hazard due to odorous compounds.

[District Permit 06-PO-06, Condition 17]

- C7. The flare shall be designed for and operated with no visible emissions as determined by reference Method 22, except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.

[District Permit 06-PO-06, Condition 18]

- C8. The enclosed LFG flare shall reduce the concentration of NMOC's present in the LFG delivered to the flare by at least 98 percent by weight or reduce outlet NMOC concentrations to less than 20 parts per million by volume on a dry basis as hexane corrected to 3 percent oxygen.

[District Permit 06-PO-06, Condition 19]

- C9. The Gas Collection and Control System operator shall monitor each individual wellhead monthly for static pressure using a Landtec, GEM500, GEM2000, or equivalent LFG analyzer. Negative pressure shall be maintained at each well, unless one of the conditions in 40CFR 60.753(b)(1,2, or 3), is encountered.

[District Permit 06-PO-06, Condition 20]

- C10. Each interior wellhead in the collection system shall be monitored monthly to ensure the system is being operated with a landfill gas temperature of less than 55°C and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. The operator may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. Any monitored exceedances of the limitations in this condition shall be corrected as specified in 40 CFR 60.755(a).

[District Permit 06-PO-06, Condition 21]

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- C11. During any start-up or re-start, there shall be a sufficient flow of propane or commercial natural gas to the pilot flame to ensure that unburned landfill gases are not emitted to the atmosphere.

[District Permit 06-PO-06, Condition 22]

- C12. Except during an ignition and warm up period, not to exceed fifteen (15) minutes, all collected landfill gas shall be subjected to a combustion zone temperature of at least 1400°F. In the event that a flare thermocouple fails, a spare thermocouple shall be located on site and be available for immediate replacement. The inlet flow rate of landfill gas to the flare shall not exceed 45.5 MMBtu/hr.

[District Permit 06-PO-06, Condition 23]

- C13. Emissions from the flare shall not exceed the following limits:

- (a) Oxides of nitrogen (NOx) 0.06 pounds per million BTUs of heat input.
- (b) Carbon monoxide (CO) 0.30 pounds per million BTUs of heat input.

[District Permit 06-PO-06, Condition 24]

- C14. Prior to any well being commissioned, decommissioned, or replaced, written notification shall be submitted to the Air Pollution Control Officer for approval.

[District Permit 06-PO-06, Condition 25]

- C15. If future landfill gas collection wells are deemed necessary, a shut-off valve at the head of each such well shall be installed and maintained in good working order.

[District Permit 06-PO-06, Condition 26]

- C16. A condensate sump shall be installed immediately preceding the flare station. The sump shall be equipped with a pneumatic pump, pneumatic fail close valve, level controls, and piping to transfer the collected condensate to the nearby condensate storage tank(s) for injection into the LFG flare and/or discharged to the leachate evaporation pond. The condensate sump shall not be allowed to overflow to the flare.

[District Permit 06-PO-06, Condition 27]

- C17. The flare skid shall include one knockout pot, a knockout gravity drain line, fail-close valve, air compressor, flame arrester, 45.5 MMBtu/hr heat input flare, blower/flare

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control panel, and a Yokogawa digital recorder. Flare thermocouple output shall be recorded continuously.

[District Permit 06-PO-06, Condition 28]

- C18. The condensate mist injection into the flame zone shall not be injected at a rate greater than five gallons per minute.

[District Permit 06-PO-06, Condition 29]

- C19. The Landfill Gas Collection and Control System shall operate continuously unless written permission by the Air Pollution Control Officer is granted, except as allowed by Condition 16 of Permit to Operate 06-PO-06 and 40 CFR 60.757(f)(4).

[District Permit 06-PO-06, Condition 30]

- C20. At no time shall collected, untreated landfill gas be conveyed to the atmosphere.

[District Permit 06-PO-06, Condition 31]

- C21. If a gas extraction system is to be reconnected to the Gas Collection Control System, the connector assembly shall include a positive closing valve, any necessary seals and couplings, access couplings, and at least one (1) sampling port.

[District Permit 06-PO-06, Condition 32]

- C22. The Landfill Gas Collection and Control System components shall control air intrusion, prevent landfill gas from escaping the collection system, and prohibit refuse from entering the collection system.

[District Permit 06-PO-06, Condition 33]

- C23. The Gas Collection and Control System shall be operated so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. The LFG surface emissions shall be monitored quarterly in accordance with regulatory requirements and the procedures described in the Surface Emission Monitoring Plan. Each location of a monitored exceedance of the methane concentration limit in this condition shall be recorded and corrected as specified in 40 CFR 60.755(c)(4).

[District Permit 06-PO-06, Condition 34]

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- C24. Portions of the Landfill with an active Gas Collection and Control System shall be monitored quarterly for Landfill Gas surface emissions. Potential emission areas shall be inspected by using a flame ionization detector (FID) or an organic vapor analyzer.

[District Permit 06-PO-06, Condition 35]

- C25. Flare stack emission testing shall be completed every four (4) years beginning after the initial performance test, to determine emission characteristics of the Gas Collection and Control System. Testing shall include emissions of methane and specified air contaminants, as stated in the *California Health and Safety Code* Section 41805.5(i)(6).

[District Permit 06-PO-06, Condition 36]

- C26. More frequent emission testing may be requested by the District if a significant increase in the landfill gas inlet flow rate occurs. Flare stack emission testing shall be conducted by a California Air Resources Board-approved testing firm, and the facility operator shall submit a proposed source test protocol for District review and approval fifteen (15) days prior to scheduled testing. Testing shall follow the District approved source test protocol, be conducted under normal operating conditions, and be witnessed by District staff. The operator shall provide access, utilities, and any necessary safety equipment for emission testing upon request of the District. Test results shall be submitted to the District within 60 days of completion of the emissions test.

[District Permit 06-PO-06, Condition 37]

- C27. All monitoring records shall be kept onsite and be readily accessible in either a paper or electronic format. Records of each surface monitoring exceedance shall be kept on file for at least five years. These records shall include the location and reading of the exceedance, as well as the results of the follow-up readings in the subsequent months (whether or not these follow-up readings were exceedances), the action taken to repair excess emissions, and the date of repair.

[District Permit 06-PO-06, Condition 38]

- C28. Visible emission from the Caterpillar 3054, 105 horsepower diesel engine shall not be discharged for a period or periods aggregating more than three minutes in any one hour which is as dark or darker than Ringlemann 1 or equivalent 20% opacity as determined by EPA Method 9.

[District Permit 06-PO-06, Condition 39]

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- C29. Emissions of oxides of nitrogen (NO_x) from the Caterpillar 3054, 105 horsepower diesel engine shall not exceed 600 ppmv (calculated as equivalent (NO₂) corrected to 15% oxygen, dry basis.

[District Permit 06-PO-06, Condition 40]

- C30. Emissions of carbon monoxide (CO) from the Caterpillar 3054, 105 horsepower diesel engine shall not exceed 2500 ppmv corrected to 15% oxygen, dry basis.

[District Permit 06-PO-06, Condition 41]

- C31. The Caterpillar 3054, 105 horsepower diesel engine shall have a non-resettable hour meter and the permittee shall maintain an engine operating log for each month or any part of a month that the device is operated that includes the following:

- a. Total recorded hours of operation;
- b. Date(s) and type of maintenance performed; and
- c. Biennial emission test results using a portable analyzer

This information shall be maintained for a period of two (2) years and shall be submitted to the APCO upon request.

[District Permit 06-PO-06, Condition 42]

- C32. The permittee shall conduct testing of emissions from the Caterpillar 3054, 105 horsepower diesel engine with a portable analyzer as an inspection and maintenance program. The testing shall be conducted on a biennial basis and the report shall provide evidence demonstrating that the instrument responded appropriately to calibration gases both before and after the testing. If any emission values are found to be greater than the limits specified in Conditions C28, C29 and C30, immediate corrective action shall be taken and the District shall be advised of the condition of excessive emissions. This testing of emissions shall be demonstrated in the presence of District staff for compliance demonstration purposes upon request by the District.

[District Permit 06-PO-06, Condition 43]

- C33. The Caterpillar 3054, 105 horsepower diesel engine shall not operate in idle mode more than five (5) consecutive minutes at any time.

[District Permit 06-PO-06, Condition 44]

- C34. The Caterpillar 3054, 105 horsepower diesel engine must maintain compliance with the Final Regulation Order - Air Toxic Control Measure for Stationary Compression

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Ignition Engines. The HUSS Diesel Particulate Filter shall be operated in accordance with the manufacturer's written instruction and shall be in use at all times that the engine is in operation.

[District Permit 06-PO-06, Condition 45]

GENERAL PERMIT CONDITIONS

- C35. This Permit to Operate shall be posted in a conspicuous location within the control center of the facility for which it was issued.

[District Permit 06-PO-06, Condition 1]

- C36. This permit is not transferable from either one location to another, one piece of equipment to another, or from one person to another.

[District Permit 06-PO-06, Condition 2]

- C37. Equipment is to be maintained so that it operates as it did when the permit was issued.

[District Permit 06-PO-06, Condition 3]

- C38. Acceptance of this permit is deemed acceptance of all conditions as specified. Failure to comply with any condition of this permit or the Rules and Regulations of the Shasta County Air Quality Management District (District) shall be grounds for revocation, either by the Air Pollution Control Officer (APCO) or the Air Pollution Control Hearing Board.

[District Permit 06-PO-06, Condition 5]

- C39. The District reserves the right to amend this permit, if the need arises, in order to insure compliance of this facility or to abate any public nuisance.

[District Permit 06-PO-06, Condition 6]

- C40. If any provision of this permit is found invalid, such finding shall not affect the remaining provisions.

[District Permit 06-PO-06, Condition 7]

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- C41. All equipment, facilities, and systems shall be designed to be operated in a manner that minimizes air pollutant emissions and maintains compliance with the conditions of this permit and the regulations of the District.

[District Permit 06-PO-06, Condition 8]

- C42. Periods of excess emission levels with respect to emission limitations specified in this permit shall be reported to the District within four (4) hours of the occurrence. In no event shall the equipment be operated in a manner that creates excessive emissions beyond the end of the first shift or twenty-four (24) hours, whichever occurs first.

[District Permit 06-PO-06, Condition 9]

- C43. The right of entry described in CHSC 41510, Division 26, shall apply at all times.

[District Permit 06-PO-06, Condition 10]

- C44. The operating staff of this facility shall be advised of and familiar with all the conditions of this permit.

[District Permit 06-PO-06, Condition 11]

STANDARD CONDITIONS

- D1. Emissions exceeding any of the limits established in this permit shall be immediately reported to the District.

- a. For scheduled maintenance of a permitted emission source, notice shall be provided to the District at least twenty-four (24) hours prior to shutdown, whether or not an emission exceedance is expected.
- b. The emission source operator shall notify the District within four (4) hours of the occurrence of any excess emission and provide information on the time, duration, cause, and extent of the excess emission. Upon the request of the APCO, a full, written report of each occurrence, including a statement of all known causes and the nature of the actions to be taken pursuant to the requirements of Rule 3:10 or Rule 5 shall be submitted to the District.
- c. Corrective action shall be taken immediately by the operator of the emission source to correct the conditions causing excessive emissions to reduce the frequency of the occurrence of such conditions. In no event shall equipment be

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operated in a manner that creates excessive emissions beyond the end of the work shift or twenty-four (24) hours, whichever occurs first.

- d. An emergency constitutes an affirmative defense to any action brought for non-compliance with technology-based emission limits if:
- 1) The emission source operator can identify the cause(s) of the emergency.
 - 2) The permitted facility was at the time being properly operated.
 - 3) During the period of the emergency, the emission source operator took all reasonable steps to minimize levels of excess emission; and
 - 4) The emission source operator submitted notice of the emergency to the District in accordance with this condition.

(For the purposes of this condition, emergency shall be as defined in Title 40 of the *Code of Federal Regulations (CFR)*, Part 70, Section 70.6(g); i.e. "any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency.")

Within two (2) working days of the emergency event, the permittee shall provide the District with a description of the emergency and any mitigating or corrective actions taken. Within two (2) weeks of an emergency event, the responsible official shall submit to the District a properly signed contemporaneous log or other relevant evidence that contains all the information for what constitutes an emergency (as described above in d.1-4 of this condition).

In any enforcement proceeding, the permittee has the burden of proof for establishing that an emergency occurred.

- e. An excess emission occurrence may not avoid enforcement action by the APCO if the occurrence is caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
- f. Nothing expressed in this Condition shall be construed to limit enforcement authorities under the Federal Clean Air Act.
- g. Excess emissions during start-up and shut-down shall be considered a violation (except as allowed by Title 40 of the *Code of Federal Regulations*, Part 60, Section 60.8(c)) if the owner or operator cannot demonstrate that the excess

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emissions are unavoidable when requested to do so by the APCO. The APCO may specify for a particular source the amount, time, duration, and under what circumstances excess emissions are allowed during start-up or shut-down. The owner or operator shall, to the extent practicable, operate the emission source and any associated air pollution control equipment or monitoring equipment in a manner consistent with best practicable air pollution control practices to minimize emissions during start-up and shut-down.

- h. The burden shall be on the owner of the source to provide sufficient information to demonstrate that a breakdown did occur. If the owner or operator fails to provide sufficient information, the APCO shall undertake appropriate enforcement action.
- i. Any failure to comply, in a timely manner, with the reporting requirements established in this Rule shall constitute a separate violation of this Rule.
- j. It shall constitute a separate violation of this Rule for any person to file with the APCO a report which falsely, or without probable cause, claims that an occurrence is a breakdown occurrence.

[SCAQMD Rule 3:10, Excess Emissions]

- D2. The permittee shall provide the District at least fifteen (15) days prior notice of any performance test, except as specified under other subparts, to afford the APCO the opportunity to have an observer present.

[40 CFR Part 60.8(d)]

- D3. The permittee shall provide or cause to be provided, testing facilities as follows:
 - a. Sampling ports adequate for test methods applicable to such facility. This includes:
 - 1) Constructing the air pollution control system such that volumetric flow rates and pollution emission rates can be accurately determined by applicable test methods and procedures and,
 - 2) Providing stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures
 - b. Safe sampling platform(s).
 - c. Safe access to sampling platform(s).
 - d. Utilities for sampling and testing equipment.

[(District Rule 2:14,), 40 CFR Part 60.8.e]

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- D4. Upon notification from the APCO, the permittee will abate any air-quality-related nuisance associated with the equipment defined under this Permit or from any process which is indirectly or directly associated with such equipment.

[SCAQMD Rule 3:16]

- D5. Any person who is building, erecting, altering, or replacing any article, machine, equipment or other contrivance, or multi-component system including same, portable or stationary, and who is not exempt under Section 42310 of the CHSC, the use of which may cause the issuance of air contaminants, shall first obtain written authority for such construction from the APCO.

[SCAQMD Rule 2:1A, Permits Required 54 FR 26381, 6/18/82]

- D6. Before any article, machine, equipment or other contrivance, or multi-component system including same, portable or stationary, not exempt under Section 42310 of the CHSC, the use of which may cause the issuance of air contaminants, may be operated or used, a written permit shall be obtained from the APCO.

[SCAQMD Rule 2:1A]

- D7. Where an application for or issuance of a permit is pending or in the event of an emergency occurring as a result of an excusable malfunction of a device under permit, the APCO may authorize the operation of the article, machine, equipment, device, or other contrivance or multi-component system for which a permit is sought for periods of time not to exceed sixty (60) days each for the purpose of testing, experimentation, or obtaining necessary data for a permit or correcting a malfunction. No fee or application will be required for such authorization.

[SCAQMD Rule 2:1A]

- D8. No person shall willfully deface, alter, forge, counterfeit, or falsify a Permit to Operate for any article, machine, equipment, or other contrivance.

[SCAQMD Rule 2:21, Defacing Permit, 37 FR 19812, 9/22/72 (current Rule 2:24)]

- D9. A person who has been granted a Permit to Operate as described in Rule 2:1A.b. shall firmly affix such permit, an approved facsimile, or other approved identification bearing the permit number upon the article, machine, equipment or other contrivance in such a manner as to be clearly visible and accessible.

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In the event that the article, machine, equipment, or other contrivance is so constructed or operated that the Permit to Operate cannot be so placed, the Permit to Operate shall be mounted so as to be clearly visible in an accessible place within 25 feet of the article, machine, equipment, or other contrivance, or maintained readily available at all times on the operating premises.

[SCAQMD Rule 2:23, Posting of Permit to Operate, 54 FR 14650, 9/22/72]

- D10. All information, analyses, plans, or specifications that disclose the nature, extent, quantity, or degree of air contaminants or other pollution that any article, machine, equipment, or other contrivance will produce and that any air pollution control district or any other state or local agency or District requires any applicant to provide before such applicant builds, erects, alters, replaces, operates, sells, rents, or uses such article, machine, equipment, or other contrivance, are public records.

[SCAQMD Rule 2:25, Public Records -- Trade Secrets, 42 FR 42223, 8/22/77]

- D11. All air or other pollution monitoring data, including data compiled from stationary sources, are public records.

[SCAQMD Rule 2:25, Public Records -- Trade Secrets, 42 FR 42223, 8/22/77]

- D12. Notwithstanding any other provision of law, all air pollution emission data, including those emission data that constitute trade secrets as defined in subdivision c, are public records. Data used to calculate emission data are not emission data for the purposes of this subdivision, and data that constitute trade secrets and that are used to calculate emission data are not public records.

[SCAQMD Rule 2:25, Public Records - Trade Secrets, 42 FR 42223, 8/22/77]

- D13. Pursuant to District Rule 2:16, the APCO may revoke an existing Authority to Construct and/or Permit to Operate if the applicant and/or permittee violates the conditions of such permit as specified by the APCO. The APCO may reinstate the permit at such time as the applicant and/or permittee shows that the condition(s) previously violated are now being attained. Such showing shall not bar the APCO from pursuing any legal remedy with respect to any violation that resulted from the failure to meet any permit condition as specified by the APCO.

[SCAQMD Rule 2:26, Revocation of Permit, 54 FR 14650, 4/12/89]

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- D14. Each and every provision of Federal or State law or applicable Air Basin Plan now or hereinafter enacted or as amended that regulates the discharge of any air contaminants is incorporated here by reference. Where such provisions conflict with local rules and regulations, the more restrictive provisions shall apply.

[SCAQMD Rule 3:1, Applicability of State Laws, 42 FR 42223, 8/22/77]

- D15. Persons performing maintenance, service, repair or disposal of appliances as defined in 40 CFR 82.152 (not including small appliances as defined in 40 CFR 82.152) using CFC's, HCFC's, or other ozone-depleting substances must be certified by an approved technician certification program.

[40 CFR Part 82.161, Stratospheric Ozone Protection]

- D16. Persons opening appliances using CFC's, HCFC's or other ozone depleting substances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.

[40 CFR 82.156, Stratospheric Ozone Protection]

- D17. Equipment used during the maintenance, service, repair, or disposal of appliances using CFC's, HCFC's or ozone-depleting substances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.

[40 CFR 82.158, Stratospheric Ozone Protection]

- D18. No person shall build, erect, install, or use any article, machine, equipment, or other contrivance, the use of which, without resulting in a reduction in the total release of air contaminants to the atmosphere, reduces or conceals an emission that would otherwise constitute a violation.

[SCAQMD Rule 3:6, Circumvention, 42 FR 42223, 8/22/77, 40 CFR Part 60.12]

- D19. This facility is subject to the applicable New Source Performance Standards codified at 40 CFR, Subparts A,Cc and WWW.

PERMIT SHIELD

In accordance with 40 CFR part 70.6, compliance with terms and conditions of this permit shall be deemed to be compliant with all applicable local, state, and federal laws and

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regulations regarding air quality as of the date of permit issuance which were considered during review of the renewal of this permit.

For the municipal solid waste landfill, compliance with the conditions of this permit shall be assumed to be in compliance with District SIP Rules numbered 1:2, 2:1A, 2:5, 2:6, 2:7, 2:10, 2:12, 2:14, 2:21, 2:23, 2:25, 3:1, 3:2, 3:4, 3:6, 3:9, 3:11, and 3:17. For the municipal solid waste landfill, compliance with the conditions of this permit shall be assumed to be in compliance with the Federal Clean Air Act regulations contained in 40 CFR at the following sections:

1. 40 CFR Part 60, Subparts A, Cc, and WWW (NSPS)
2. 40 CFR Part 61, Subpart M (Asbestos)
3. 40 CFR Part 63, Subpart A (NESHAP)
4. 40 CFR Part 63, Subpart ZZZZ (NESHAP)

For the facility, compliance with the conditions of this permit shall be assumed to be in compliance with the Federal Clean Air Act regulations contained in 40 CFR Part 82 (Stratospheric Ozone).

[40 CFR 70.6(f), Permit Shield]